

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

ROSA HAYDEE GONZALEZ MILLAN

Debtor

CASE NO. 14-10310(ESL)

Chapter 13

**MOTION TO STRIKE UNAUTHORIZED APPLICATION FOR PAYMENT OF  
UNCLAIMED FUNDS**

TO THE HONORABLE COURT:

COMES NOW RUSHMORE LOAN MANAGEMENT SERVICES, LLC, SERVICER FOR ROOSEVELT CAYMAN ASSET COMPANY II, (hereinafter “RUSHMORE”), represented by its undersigned attorney, and very respectfully alleges, states and prays:

1. Rushmore is a creditor of the estate, with duly allowed claims, and reported unclaimed funds in the amount of \$181.00.

2. On May 21, 2020 (Docket No. 120), the Clerk of this Honorable Court received through the United States Postal Service, an *Application for Payment of Unclaimed Funds, Form LBF-B*, submitted by a certain **Henry White-DBA-Rushmore Loan Management Services, LLC**, representing the following:

- 1) Being the Claimant, with Current Mailing Address, Telephone Number, and Email Address of: Henry White, 18 Havemeyer Lane, Old Greenwich, CT 06870, (203)604-5202, [sonnywhite7777@optimum.net](mailto:sonnywhite7777@optimum.net);
- 2) Applicant is the Claimant and is the Owner of Record entitled to the unclaimed funds appearing on the records of the court;

- 3) Applicant has read the court's instructions for filing an Application for Unclaimed Funds and is providing the required supporting documentation with this application (copy of a valid driver's license and/or passport); and filing and submitting form AO 213p.
- 4) Applicant has sent a copy of this application and supporting documentation to the United States Attorney, pursuant to 28 U.S.C. § 2042;
- 5) Pursuant to 28 U.S.C. § 1746, Applicant declares under the penalty of perjury of the United States of America that the foregoing is true and correct.

3. On May 21, 2020 (Docket No. 81), the Clerk of this Honorable Court filed the aforesaid *Application for Payment of Unclaimed Funds, Form LBF-B*, submitted by a certain **Henry White-DBA-Rushmore Loan Management Services, LLC**, allegedly related to Docket Nos. 74, 75, and 76.

4. Rushmore has not authorized Mr. Henry White to do business as Rushmore Loan Management Services, LLC, or to file the aforesaid *Application for Payment of Unclaimed Funds, Form LBF-B*.

5. Upon information and belief, the representations made by Mr. Henry White are not true and correct.

6. Rushmore's mailing address is: **PO Box 11973, San Juan, PR 00922.**

WHEREFORE, it is respectfully requested that this Honorable Court enter an order striking from the record Docket No. 81.

**NOTICE**

**WITHIN FOURTEEN (14) DAYS AFTER SERVICE AS EVIDENCED BY THE CERTIFICATION, AND AN ADDITIONAL THREE (3) DAYS PURSUANT TO FED. R. BANK. P. 9006(f) IF YOU WERE SERVED BY MAIL, ANY PARTY AGAINST WHOM THIS PAPER HAS BEEN SERVED, OR ANY OTHER PARTY TO THE ACTION WHO OBJECTS TO THE RELIEF SOUGHT HEREIN, SHALL SERVE AND FILE AN OBJECTION OR OTHER APPROPRIATE RESPONSE TO THIS PAPER WITH THE CLERK'S OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO. IF NO OBJECTION OR OTHER RESPONSE IS FILED WITHIN THE TIME ALLOWED HEREIN, THE PAPER WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED UNLESS: (i) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (ii) THE REQUEST RELIEF IS AGAINST PUBLIC POLICY; OR (iii) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE.**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been filed electronically on this day with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all CM/ECF System participants, including Monsita Lecaroz Arribas, Assistant United States Trustee; a copy is being mailed to Henry White, 18 Havemeyer Lane, Old Greenwich, CT 06870.

In San Juan, Puerto Rico, this 28th day of May, 2020.

s/SERGIO A. RAMIREZ DE ARELLANO  
SERGIO A. RAMIREZ DE ARELLANO  
SARLAW LLC  
Attorneys for RUSHMORE  
Banco Popular Center, Suite 1022  
209 Muñoz Rivera Ave.  
San Juan, PR 00918-1009  
Tel. (787) 765-2988  
USDC #126804  
[sramirez@sarlaw.com](mailto:sramirez@sarlaw.com)